

Scott Jones

From: Mike Winkler <MikeW@hct.holland.mi.us>
Sent: Wednesday, April 25, 2012 12:07 PM
To: Scott Jones
Subject: HB 4561

Dear Chairperson Rocca & Committee Members Rick Jones, Hoe Hune, Arlan Meekhof, Phil Pavlov, Bert Johnson and Rebekah Warren:

I live in Rick Jones district, and I work for the citizens of Holland Charter Township which is in Arlan Meekhofs district, so I appear to be well represented on this committee. I am contacting you regarding HB 4561 that will be discussed on Thursday. This letter represents my own personal and professional viewpoint but I also serve on the board of directors for COCM, which has weighed in on this legislation and stand by their comments.

It is my understanding that the purpose of this legislation is to save the contractors the cost of an \$80 code book that is currently valid for 3 years. Their work shoes cost more than that. Many of the contractors I have in my office don't buy a code book anyways, despite a law that requires them to own one. Would you hire a builder to work on your home that could not afford \$27 a year for a copy of the rules that apply to his profession?

When this law was introduced in the House, valid concerns were raised that this law would delay new products and materials from the marketplace. A poorly written amendment was added that that makes this unnecessary legislation unworkable. It requires code enforcers to accept new code provisions as they become available. While I have some concern over the longer code cycle, the amendment is at the heart of my objection.

This amendment is problematic in several ways. For the builder to take advantage of a new rule that is printed in ICC code books that are not adopted in Michigan, they would have to buy these ICC code books just to see what changes could benefit them. Building departments would have to buy code books that would never be adopted in Michigan just to verify the provision the builder wants to take from it. The result would be no cost savings on code books because we would all have a need to buy them anyways.

The amendment also fails to recognize that many of the relaxed code provisions that are in the new code because of a companion change that provides an equivalent balance of safety that justifies the change. An example of this was a recent new code rule that allowed a bedroom fire escape window to be deleted if the house has fire sprinklers. The way the amendment is currently written, the builder could demand that the building inspector allow him to delete the fire escape window without regard for the fire sprinkler trade off that was intended to provide equivalent safety.

This legislation also hinders small business. Michigan has a significant number of small businesses that manufacture and/or assemble new and innovating construction materials. A small business cannot afford to visit all the hundreds of inspection departments in our state to get their new products accepted, they rely on timely revisions/updates to the code books that automatically allow their products into the construction marketplace.

It is unwise to delay the adoption of new code requirements that make our homes safer, such as smoke alarms, carbon monoxide alarms, fire escape windows, etc, all of which have been added to the code since I first became a code official and have saved countless lives. I sense the real objective of the author was to avoid the possibility of added construction costs that they deem unnecessary and too expensive. Michigan already has a process in place to review new code requirements that has worked very well over the years to weed out unreasonable or unaffordable new code provisions. Many communities like ours have donated code books to the local libraries so the average person that wants to do their own work has free access to the codes and the minimal cost to a professional builder does not justify this legislation.

I urge you not to report this unnecessary and harmful legislation out of committee.

Respectfully submitted by:
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